

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JAMES HOSKINS,

Plaintiff,

v.

Case No. 20-cv-1329-pp

ARA MARK STAFF, *et al.*,

Defendants.

**ORDER EXTENDING DEADLINE FOR PLAINTIFF TO PAY FILING FEE OR
FILE MOTION TO PROCEED WITHOUT PREPAYING THE FILING FEE**

Plaintiff James Hoskins, representing himself, has filed numerous cases in the Eastern District of Wisconsin. As this court explained when dismissing one of them, the plaintiff knows the process prisoners must follow when filing civil rights cases. See Hoskins v. House of Correction, Case No 20-cv-619, Dkt. No. 18 at 1. Between April 2020 and August 2020, the plaintiff filed four civil rights lawsuits under 42 U.S.C. §1983—Case Nos. 20-cv-619, 20-cv-851, 20-cv-874 and 20-cv-1329. In each of them he asked to proceed without prepaying the filing fee and each of them is missing information necessary to allow the court to decide whether to do so. In each case, the court has given the plaintiff the opportunity to provide the missing information.

In this case, the plaintiff has not either paid the \$400 filing fee or filed a request to proceed without prepaying it (along with his six-month certified trust account statement). The plaintiff did not use the court's standard complaint

form and did not include his address. Id. On August 28, 2020, the court received in the three other cases the plaintiff had filed a change of address notice from the plaintiff, providing a mailing address of 3282 N. 11th St., Milwaukee, WI 53206. So, on August 28, 2020—the day the court received the complaint in *this* case—the Clerk of Court a letter to the plaintiff at that address. Dkt. No. 2. The letter informed the plaintiff he must either pay the \$400 filing fee or file a Request to Proceed in District Court Without Prepaying the Filing Fee and a certified copy of his institutional trust account statement for the past six months. Id. The letter advised the plaintiff that he must do one or the other of those things within twenty-one days of the date of the letter and warned him that if he did not, the court could dismiss the case. Id. The letter also directed the plaintiff to return the magistrate jurisdiction form within twenty-one days. Id. That letter came back to the court as undeliverable on September 8, 2020.

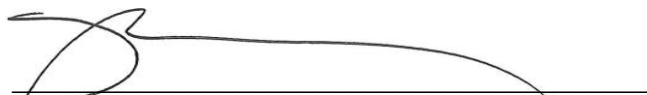
The court will give the plaintiff a final opportunity to either pay the filing fee, file a motion to proceed without prepaying the fee (along with the certified copy of his trust account statement) or file a written statement explaining why he cannot do either. If the court does not receive either the filing fee, the motion and trust account statement or a written explanation by the deadline below, the court will dismiss the case for the plaintiff's failure to comply with the court's order. The state court docket in the plaintiff's criminal case reflects the name of the plaintiff's state public defender. The court will send a copy of

this order to that attorney, with a request that the attorney forward the order to the plaintiff.

The court **ORDERS** that by the end of the day on **December 4, 2020**, the plaintiff must either (1) pay the full \$400 civil filing fee, (2) file a motion asking the court to allow him to proceed without prepaying the filing fee and accompany that motion with a copy of his certified trust account statements or (3) provide the court with a written explanation for why he cannot provide his trust account statements. The plaintiff must take one of these actions in time for the court to *receive* whatever he files by the end of the day on December 4, 2020. If the court does not receive one of these things—the filing fee, the motion and trust account statement or the written explanation—by the end of the day on December 4, 2020, the court will dismiss this case for failure to comply with the court's order.

Dated in Milwaukee, Wisconsin this 13th day of November, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge